

**IMPORTANT CONFIDENTIALITY NOTICE**

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally protected. The information is intended only for the use of the individual or entity named below. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone (collect) to arrange for return of the telecopied document to us.

**TO: Commissioner for Patents, Examiner Michael G. Bogart - United States Patent and Trademark Office**

Fax No. 571-273-8300

Phone No.

**RECEIVED  
CENTRAL FAX CENTER  
AUG 29 2006**

**FROM: Lesley A. Franklin (Typed or printed name of person signing Certificate)**

Fax No. 513-634-3848

Phone No. 513-634-2061

Application No.: 10/768,949

Inventor(s): Noriko Nawata et al.

Filed: January 30, 2004

Docket No.: AA613

Confirmation No.: 8511

**FACSIMILE TRANSMITTAL SHEET AND****CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8**

*I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on August 29, 2006, to the above-identified facsimile number.*

Lesley A. Franklin (Signature)

Listed below are the item(s) being submitted with this Certificate of Transmission:\*\*

1) Appeal Brief, Response to Office Action dated 8/23/06 (5 pages)

Number of Pages Including this Page: 6

(8\_29\_06\_FAX-USPTO\_AA613.doc) laf Revised 11/18/2005 laf

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/768,949  
Inventor(s) : Noriko Nawata et al.  
Filed : January 30, 2004  
Art Unit : 3761  
Examiner : Michael G. Bogart  
Docket No. : AA613  
Confirmation No. : 8511  
Customer No. : 27752  
Title : WAIST BELT FOR SUPPORTING DISPOSABLE  
ABSORBENT ASSEMBLIES AND ABSORBENT  
ARTICLES COMPRISING THE SAME

**RECEIVED**  
**CENTRAL FAX CENTER**  
**AUG 29 2006**

**APPEAL BRIEF**

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir,

This Amended Appeal Brief is filed pursuant to the appeal from the U.S. Patent and Trademark Office Final Office Action of April 6, 2006. A timely Notice of Appeal was filed on June 7, 2006. A timely Appeal Brief was filed on August 7, 2006.

In a Notification of Non-Compliant Appeal Brief under 37 C.F.R. § 41.37 dated August 23, 2006, the Examiner indicated that the Appeal Brief failed to comply with 37 C.F.R. § 41.37(c)(1)(v). Following the M.P.E.P. § 1205.03(B), only the amendment to the SUMMARY OF CLAIMED SUBJECT MATTER is submitted herein.

The amended SUMMARY OF CLAIMED SUBJECT MATTER begins on page 2 of this submission.

Appl. No. 10/768,949  
Docket No. AA613  
Amdt. dated August 29, 2006  
Reply to Office Action mailed on August 23, 2006  
Customer No. 27752

RECEIVED  
CENTRAL FAX CENTER  
AUG 29 2006

SUMMARY OF CLAIMED SUBJECT MATTER

**Claim 1**

Claim 1 of the invention provides for a waist belt 300 (see e.g. page 4, line 28 and Fig. 4) for supporting a disposable absorbent assembly 200 (see e.g. page 4, line 28 and Fig. 5). The belt 300 has a longitudinal centerline L2 (see e.g. page 9, lines 35-36 and Fig. 3), a transverse centerline T2 (see e.g. page 9, lines 35-36 and Fig. 3), a wearer-facing surface 301 (see e.g. page 10, lines 6-7 and Fig. 4), an opposing surface 302 (see e.g. page 10, lines 6-7 and Fig. 4), two end edges, 303 and 304, oppositely disposed with respect to the transverse centerline (see e.g. page 10, lines 7-10 and Fig. 4), and two side edges, 305 and 306, oppositely disposed with respect to the longitudinal centerline (see e.g. page 10, lines 7-10 and Fig. 4). The belt comprises a central segment 310 (see e.g. page 10, line 10 and Fig. 3), at least two intermediate segments 320 (320a and 320b) (see e.g. page 10, lines 10-11) and at least two distal segments 330 (330a and 330b) (see e.g. page 10, lines 10-11 and Fig. 3). The central segment 310 is positioned along the longitudinal centerline L2 and extends transversely outwardly from the longitudinal centerline L2 on either side of the longitudinal centerline L2 (see e.g. Fig. 3). The central segment 310 has a first longitudinal length 311 defined by the distance between the end edges 303 and 304 of the central segment 310 (see e.g. page 10, lines 21-24 and Fig. 3). Each intermediate segment 320a and 320b is transversely outwardly extending from the central segment 310 and is positioned between the central segment 310 and a distal segment 330 (see e.g. page 11, lines 8-9 and Fig. 3). Each intermediate segment 320a and 320b covers a side hip of the wearer when the belt 300 is worn (see e.g. page 11, lines 9-10 and Fig. 6). Each intermediate segment 320a and 320b has a second longitudinal length 321 (see e.g. page 11, lines 11-12 and Fig. 3) defined by the distance between the end edges of each intermediate segment 320a and 320b (page 11, lines 9-12 and Fig. 3). Each distal segment 330a and 330b extends transversely outwardly from an intermediate segment 320 and includes one of the side edges of the belt (see e.g. Fig. 3). Each distal segment 330a and 330b has a third longitudinal length 331 defined by the distance between the end edges of each distal segment (see e.g. page 11, lines 34-36 and Fig. 3). The second longitudinal length 321 is greater than the first longitudinal length

Appl. No. 10/768,949  
Docket No. AA613  
Amdt. dated August 29, 2006  
Reply to Office Action mailed on August 23, 2006  
Customer No. 27752

311, and greater than the third longitudinal length 331 (see e.g. page 12, lines 19-24). The belt 300 comprises a fastener element 340 positioned on at least one of the distal segments 330 for releasably securing the belt around the waist of the wearer and an attachment surface 350 formed at least on the opposing surface of each intermediate segment 320 for releasably attaching the disposable assembly 200 to the belt 300 (see e.g. page 12, line 33 to page 13, line 3 and Figs. 4 and 5).

#### **Claim 6**

Claim 6 of the invention provides for an absorbent article 100 (see e.g. page 4, lines 19-21 and Fig. 1) having a longitudinal centerline L1 (see e.g. page 4, lines 29-34 and Fig. 2), a transverse centerline T1 (see e.g. page 4, line 34 and Fig. 2), a wearer-facing surface 110 and an opposing surface 120 (see e.g. page 5, lines 1-4 and Fig. 2). The absorbent article comprises a disposable absorbent assembly 200 (see e.g. page 5, lines 11-16 and Fig. 1) comprising a liquid pervious topsheet 220 (see e.g. page 6, lines 5-6 and Fig. 1), a liquid impervious backsheet 230 (see e.g. page 6, lines 15-17 and Fig. 1), an absorbent core 240 (see e.g. page 6, lines 21-24 and Fig. 1) positioned between the topsheet 220 and the backsheet 230, and an attachment means 280 (see e.g. page 5, lines 23-24 and Fig. 1) provided on the wearer-facing surface 201 of the disposable assembly (see e.g. page 5, lines 23-21 and Fig. 1). A waist belt 300 is provided having two end edges, 303 and 304, oppositely disposed with respect to the transverse centerline (see e.g. page 10, lines 7-10 and Fig. 4), and two side edges, 305 and 306, oppositely disposed with respect to the longitudinal centerline (see e.g. page 10, lines 7-10 and Fig. 4). The belt comprises a central segment 310 (see e.g. page 10, line 10 and Fig. 3), at least two intermediate segments 320 (320a and 320b) (see e.g. page 10, lines 10-11) and at least two distal segments 330 (330a and 330b) (see e.g. page 10, lines 10-11 and Fig. 3). The central segment 310 is positioned along the longitudinal centerline L2 and extends transversely outwardly from the longitudinal centerline L2 on either side of the longitudinal centerline L2 (see e.g. Fig. 3). The central segment 310 has a first longitudinal length 311 defined by the distance between the end edges 303 and 304 of the central segment 310 (see e.g. page 10, lines 21-24 and Fig. 3). Each intermediate segment 320a and 320b is transversely outwardly extending from the central segment 310

Page 3 of 5

Appl. No. 10/768,949  
Docket No. AA613  
Amdt. dated August 29, 2006  
Reply to Office Action mailed on August 23, 2006  
Customer No. 27752

and is positioned between the central segment 310 and a distal segment 330 (see e.g. page 11, lines 8-9 and Fig. 3). Each intermediate segment 320a and 320b covers a side hip of the wearer when the belt 300 is worn (see e.g. page 11, lines 9-10 and Fig. 6). Each intermediate segment 320a and 320b has a second longitudinal length 321 (see e.g. page 11, lines 11-12 and Fig. 3) defined by the distance between the end edges of each intermediate segment 320a and 320b (see e.g. page 11, lines 9-12 and Fig. 3). Each distal segment 330a and 330b extends transversely outwardly from an intermediate segment 320 and includes one of the side edges of the belt (see e.g. Fig. 3). Each distal segment 330a and 330b has a third longitudinal length 331 defined by the distance between the end edges of each distal segment (see e.g. page 11, lines 34-36 and Fig. 3). The second longitudinal length 321 is greater than the first longitudinal length 311, and greater than the third longitudinal length 331 (see e.g. page 12, lines 19-24). The belt 300 comprises a fastener element 340 positioned on at least one of the distal segments 330 for releasably securing the belt around the waist of the wearer and an attachment surface 350 formed at least on the opposing surface of each intermediate segment 320 such that the attachment surface 350 is complementary to the attachment means 280 for releasably attaching the disposable assembly to the belt 300 (see e.g. page 12, line 33 to page 13, line 3 and Figs. 4 and 5).

Appl. No. 10/768,949  
Docket No. AA613  
Amdt. dated August 29, 2006  
Reply to Office Action mailed on August 23, 2006  
Customer No. 27752

RECEIVED  
CENTRAL FAX CENTER  
AUG 29 2006

CONCLUSION

The Applicants submit that the above amendment to the Appeal Brief filed on August 7, 2006 places the Appeal Brief in compliance with 37 C.F.R. § 41.37(c)(1)(v).

Respectfully submitted,  
THE PROCTER & GAMBLE COMPANY



Date: August 29, 2006  
Customer No. 27752

Gary J. Foose  
Registration No. 58,896  
(513) 634-3293

(8\_29\_06\_Amendment-Response to Office Action\_AA613.doc) laf  
Revised 04/25/2006